

REMARKS

In accordance with the foregoing, the specification and claims 60 and 61 have been amended. Claims 47-80 are pending, with claims 47, 52, 53, 55, 60, 62, and 67 being independent. Claims 47-80 were added in the Amendment After Final Rejection of March 22, 2010, and are directed to elected Invention I. No new matter is presented in this Amendment Accompanying Request for Continued Examination.

Entry of Amendment After Final Rejection

Please enter the Amendment After Final Rejection of March 22, 2010.

Information Disclosure Statements

An Information Disclosure Statement was filed on February 10, 2010, and it is respectfully requested that this Information Disclosure Statement be considered.

The Final Office Action of January 21, 2010, includes a copy of the List of References Cited by Applicant that was attached to the Amendment of June 25, 2009, marked by the Office to indicate that all of the cited references have been considered except reference AM (the International Search Report issued on October 30, 2003, in International Application No. PCT/KR03/01306). On page 4 of the Final Office Action of January 21, 2010, the Office states as follows:

The information disclosure statement filed 25 June 2009 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because while reference AM on the IDS lists the reference was issued on 30 October 2009 [*sic*], there is no visual evidence on the reference itself or provided to the Examiner disclosing the reference was published/issued on 30 October 1999 [*sic*]. It has been placed in the file, but the information referred to therein has not been considered as to the merits.

However, the date of October 30, 2003, listed for reference AM in the List of References Cited by Applicant is incorrect due to a typographical error as can be seen from the mailing date of October 20, 2003, listed on reference AM itself. It is not seen where 37 CFR 1.97 and 1.98 and MPEP 609 authorize the Office not to consider a reference cited in an IDS because there is

a typographical error in the date of the reference listed in the IDS. It is submitted that the appropriate course of action would have been for the Office to consider reference AM, mark through the incorrect date of October 30, 2003, in the List of References Cited by Applicant, and write in the correct date of October 20, 2003, as the Office has done in other applications handled by the undersigned attorney. It is noted that the Office itself made two typographical errors in referring to the date of October 30, 2003, listed for reference AM, i.e., the Office referred to the date of reference AM as 30 October 2009 and 30 October 1999.

In any event, attached to the Amendment After Final Rejection of March 22, 2010, was a List of References Cited by Applicant listing reference AM with the correct date of October 20, 2003. It is respectfully requested that reference AM be considered.

The above requests were also made on pages 11 and 12 of the Amendment After Final Rejection of March 22, 2010, but the Office did not consider the Information Disclosure Statement of February 10, 2010, and reference AM in the Advisory Action of March 30, 2010, as the Office was required to do.

Specification Objections

The Office has objected to the specification as failing to provide proper antecedent basis for the claimed subject matter because "[t]he phrase 'reproducing apparatus' is not found to have proper antecedent basis in the specification" as discussed on pages 4 and 5 of the Final Office Action of January 21, 2010. This objection is respectfully traversed for at least the reasons discussed on page 12 of the Amendment After Final Rejection of March 22, 2010.

Claim Rejections Under 35 USC 101

Claims 30-45 have been rejected under 35 USC 101 as being directed to non-statutory subject matter for the reasons set forth on pages 5 and 6 of the Final Office Action of January 21, 2010. This rejection is respectfully traversed for at least the reasons discussed on page 12 of the Amendment After Final Rejection of March 22, 2010.

Claim Rejections Under 35 USC 103

Rejection 1

Claims 1-4, 20-24, and 30-45 have been rejected under 35 USC 103(a) as being unpatentable over Lamkin et al. (Lamkin) (U.S. Patent Application Publication No. 2002/0088011) in view of Berstis et al. (Berstis) (U.S. Patent No. 6,510,458). This rejection is respectfully traversed for at least the reasons discussed on page 13 of the Amendment After Final Rejection of March 22, 2010.

Rejection 2

Claim 25 has been rejected under 35 USC 103(a) as being unpatentable over Lamkin in view of Berstis and Blanco (U.S. Patent Application Publication No. 2002/0128061). This rejection is respectfully traversed for at least the reasons discussed on page 13 of the Amendment After Final Rejection of March 22, 2010.

Double Patenting Rejections

Rejection 1

Claims 1-4, 23-25, and 30-45 have been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 7,493,552, which issued from Application No. 10/612,415, the parent application of the present continuation application. This rejection is respectfully traversed for at least the reasons discussed on page 14 of the Amendment After Final Rejection of March 22, 2010.

Rejections 2 and 3

Claims 1-4, 23-25, and 30-45 have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-27 of copending Application No. 10/777,668. This rejection is respectfully traversed for at least the reasons discussed on page 14 of the Amendment After Final Rejection of March 22, 2010.

Patentability of Claims 47-80

It is submitted that new claims 47-80 added in the Amendment After Final Rejection of March 22, 2010, are patentable for at least the reasons discussed on page 15 of the Amendment After Final Rejection of March 22, 2010.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Office is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,

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